

**SAN BERNARDINO COUNTY
WORKFORCE INVESTMENT BOARD
CONTRACTS/PERFORMANCE/POLICY/PROCEDURES
COMMITTEE MEETING**

Meeting Location:
WIB Conference Room
215 N. D Street, Suite 201
San Bernardino CA 92415-0041
Tuesday, March 18, 2008
2:00 p.m.

Conflict of Interest Advisement

WIB members please be advised: If an item on the meeting agenda relates to the provision of services by you, your immediate family, the entity you represent, or any person who has made \$250 in campaign contributions to you during the last 12 months, or if approval or disapproval of an agenda item would have a foreseeable material affect on an economic interest of you, your immediate family, or the entity you represent, *then please follow these procedures:*

"When the agenda item is first introduced, please immediately announce that you are recusing yourself from participating in the agenda item, and then refrain from discussing, voting on, or otherwise influencing the WIB's consideration of the agenda item."

Public Participation Advisement

For members of the public, if you wish to address the WIB concerning any matter on the agenda, please fill out a speaker card located near the entrance to the room indicating your name and the item on which you would like to speak, and provide the card to our clerk, Stephanie Soto. When the agenda item is presented to the Board, you will be provided an opportunity to speak. If you wish to address the WIB on a matter that is not on the agenda but is within the WIB's jurisdiction, please fill out a card with your name and the nature of the matter, and an opportunity will be provided toward the end of the meeting for your comments. Due to time constraints, the chairperson may impose time limits on all speakers addressing the WIB.

AGENDA

1. Call to Order
2. Discussion
 - (a) Review of the 2006-07 Final Performance Measures.
 - (b) Review, discuss, and provide direction to staff on developing a local policy on referring qualified customers directly to training.
3. County Report
4. Public Comments
5. Adjournment

Accessibility Notice

The Workforce Investment Board meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Staff Aide at least three (3) business days prior to the Board meeting. The Staff Aide's telephone number is (909) 387-9886 and the office is located at 215 N. D Street, Suite 301, San Bernardino, CA. California Relay Service 711

**This WIA Title-I financially assisted program or activity is an equal opportunity employer/program.
Auxiliary aids and services are available upon request to individuals with disabilities.**

**San Bernardino County
Workforce Investment Board
Contracts and Performance Committee
Agenda Item**

MEETING DATE: March 18, 2008

ITEM: 2b

SUBJECT: Referral to Training Policy

PRESENTED BY: Sandy Harmsen, Department of Workforce Development

CONSENT _____ **ACTION** X **INFORMATION** _____

RECOMMENDATION: Review, discuss, and provide direction to staff on developing a local policy on referring qualified customers directly to training.

BACKGROUND:

SB 293 was passed by the California State Senate on August 29, 2006 and became effective January 1, 2007. It amends and updates the California Unemployment Insurance Code (CUIC) by removing all reference to JTPA, and by adding new State and local level requirements pertaining to WIA policies and procedures.

The EDD Workforce Services Division (WSD) has since issued two WIA Directives, WIAD06-17 and WIAD06-21, identifying and providing guidance for the implementation of SB293, specifically CUIC Section 14230(d). Both Directives state in part that, "Each local board shall develop a policy for identifying individuals who, because of their skills or experience, should be referred immediately to training services. This policy, along with the methods for referral of individuals between the one-stop operators and the one-stop partners for appropriate services and activities, shall be contained in the memorandum of understanding between the local board and the one-stop partners."

The Local Board is required to modify existing MOUs with the One-Stop partners as necessary in order to include the referral policy and methods as described in the new CUIC provision.

Discussion and review of this item will provide staff with the direction necessary to develop a policy for referring qualified WIA customers directly to training services.

ATTACHMENTS: Draft Referral to Training Local WIA Policy

WIB Committee Action: _____

MOTION: _____

SECOND: _____

AYES: _____ NOES: _____

DATE March 18, 2008 ITEM 2b

REFERRAL TO TRAINING

DRAFT – LOCAL WIA POLICY

SUBJECT: Direct referral to training services of qualified WIA customers.

PURPOSE: To establish local WIA policy and procedures for identifying customers who, because of their skills and experiences, should be referred immediately to training services. This policy and method of referral shall be contained in the MOU's between the local WIA Boards and the One-Stop partners.

REFERENCE:

- Senate Bill 293 – California Unemployment Insurance Code (CUIC), Section 14230(d)
- Workforce Services Directives WIAD06-17 (dated 3-20-2007), WIAD06-21 (dated 6-29-2007) and WIA D04-18 (dated 3/29/05)
- Workforce Services WIA Eligibility Technical Assistance Guide for Program Year 2004-05

BACKGROUND INFORMATION: SB 293 was passed by the California State Senate on August 29, 2006 and became effective January 1, 2007. It amends and updates the State's U.I. Code by removing all reference to JTPA, and by adding new State and local level requirements pertaining to WIA policies and procedures.

The EDD Workforce Services Division (WSD) has since issued two WIA Directives, WIAD06-17 and WIAD06-21, identifying and providing guidance for the implementation of five specific parts of SB293, one of which pertains to new wording required in the Local Memorandums of Understanding (14230(d)). It states in part that "(d) Each local board shall develop a policy for identifying individuals who, because of their skills or experience, should be referred immediately to training services. This policy, along with the methods for referral of customers between the one-stop operators and the one-stop partners for appropriate services and activities, shall be contained in the memorandum of understanding between the local board and the one-stop partners."

Preamble

The Local Board is required to modify existing MOUs with the One-Stop partners as necessary in order to include the referral policy and methods as described in the new CUIC provision. Both the WIA (Section 134 and 20 CFR 663) and CUIC describes the three tiers of service available to adults and dislocated workers and the requirements for an eligible customer to move from core services, through intensive services, and into training services.

Many practitioners and policymakers across the nation originally interpreted three-tiered services as a "work first" program – that a customer would have to look for work for a period of time and demonstrate that he/she was unable to find employment before moving up to the next service tier. This was a misinterpretation of the law, however, and California's own Workforce Investment Act Eligibility and Technical Assistance Guide (WIA D04-18) addresses the issue on page 6 of 60, which reads, in part:

"Local areas cannot adopt a "work first" approach in developing local procedures and eligibility criteria for the three tiers of service. The adult and dislocated worker programs are not "work first" programs. Locally developed procedures and criteria must be designed to provide employment and training opportunities to those who can benefit from, and who are most in need of, such opportunities [WIA Section 195]. The appropriate mix and duration of services should be based on each participant's unique needs.

Participants may receive the three levels of service concurrently and the determination that an individual needs intensive and/or training services can be made without regard to how long the individual has been receiving core or intensive services. Neither is it necessary for all individuals to receive staff-assisted core services before receiving intensive services. In addition, job search is not the only core service that satisfies the federal requirement that an individual must receive at least one core service before receiving intensive services. Such decisions are based on each participant's employment and training needs."

One-Stop MOUs will require modification to include the policy for immediately referring certain customers into training services, and the methods for referring customers between the local One-Stop Career Centers and partners. The policy may only apply to select partners or it may apply to all partners collectively, in addition to referrals within the One-Stops themselves. For instance, a local County Welfare Department (CWD) may provide legitimate core services such as assessment and job referral to TANF recipients, but then wish to refer those recipients who desire training to the One-Stop for training services. The Local Board may then develop and negotiate a policy specifically for accepting immediate referrals to training from the CWD and include it in the MOU with the CWD, or it could choose to modify all existing MOU's.

WIAD06-21 requires that local WIA Boards modify their existing MOU's with the One-Stop partners as necessary in order to include the new referral policy and methods described in 14230(d).

REQUIRED ACTION

CONSIDERATIONS:

1. Develop an MOU with the new requirements under CUIC 14230(d) with one of the One-stop partners. This is the "safest" way to proceed because it would be easier to manage and would give us more time to adjust and improve upon the referral process. However, until new MOUs are developed with the other partners, it would deny the customers of those partners access to this new and faster method of referral to training.
2. Incorporate the new requirements under CUIC 14230(d) in all existing MOU's with all our One-Stop partners. This is the most "equitable" way of incorporating the new method of referral to training because all the One-Stop partners and their customers would be involved. However, it may be difficult to implement because it requires all partners to be in agreement.
3. Incorporate these new requirements under CUIC 14230(d) into the "Integrated Services" model being developed by EDD and DWD (Integrated Services is not a part of WIAD06-21, but it is a part of WIAD06-17). This may be the most difficult to incorporate the new method of referral into since it would mean implementing and testing new training referral procedures at the same time we are implementing the Integrated Service model.

RECOMMENDATION: Staff recommends that the LWIB accept Consideration #2. This would give all qualified customers the opportunity to be referred immediately to training.

POLICY: That the local WIB modify its' existing MOU with all One-Stop Partners to incorporate the new method of immediate referral to training as stipulated in CUIC 14230(d).

PROCEDURES (Based on Considerations 1, 2 & 3 above):

1. All customers served by DWD and the One-stop partner will be assigned to a DWD Case Manager (CM) who will interview and assess the customers' work history, education, skills, abilities, experience and the training customer was referred for. Based on the information provided, the assessment results, the Partner's recommendation if applicable, and the case manager's evaluation, the customer may be referred immediately to training, regardless of whether any Core or Intensive services have been provided.
2. All customers referred by a One-Stop Partner for training will be assigned to an DWD case manager who will review:

- The Application and reason for referral (why partner believes customer will benefit from WIA training),
- Assessment results,
- Work history, education, skills, experience and abilities, and
- Type of training customer was referred for

Based on the review of the above criteria and the DWD case manager's evaluation, the customer may be referred immediately to training, regardless of whether any Core or Intensive services have been provided.

3. All customers interested in receiving WIA program services will be administered an initial assessment to determine their job-ready skills. The Assessment will include a review of the customer's work history, education, skills, experience, and abilities. Based on the results of this assessment, the customer may be referred to Skills Unit or Job Getting/Employment Unit.